

MINUTES OF THE CITY OF BURLINGTON
CITY COUNCIL MEETING
SEPTEMBER 7, 2010

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on September 7, 2010, at 7:00 p.m.

Mayor Ronnie K. Wall presided

Councilmembers Present: Mayor Wall, Councilmembers Huffman,
Butler, Ross and Faucette

Councilmembers absent: None

Harold Owen, City Manager: Present

Robert M. Ward, City Attorney: Present

Jondeen D. Terry, City Clerk: Present

INVOCATION: Councilmember Jim Butler

BOY SCOUT RECOGNITION: Mayor Wall recognized Boy Scout
Matthew Knight, Troop 39, Macedonia Lutheran Church

PROCLAMATION: Constitution Week - September 17-23, 2010

RECOGNITION: Police Officer Drew Gerringer - NC Gang
Investigators Association 2010 Special Achievement Award

APPROVAL OF MINUTES

Mayor Wall called for approval of the City Council minutes of the meetings held August 12, 17, 19 and 26, 2010.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to approve the minutes of the above-referenced meetings.

ADOPTION OF AGENDA

Upon motion by Councilmember Butler, seconded by Councilmember Faucette, it was resolved unanimously to adopt the agenda.

CONSENT AGENDA:

Councilmember Ross asked to be recused from voting on Consent Agenda Item D.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Butler, it was resolved unanimously to allow Councilmember Ross to recuse himself from consideration on Consent Agenda Item D.

ITEM 1:

- A) To award a contract to Carolina Environmental Services in the amount of \$227,005.00 for a side loading garbage truck utilizing the "piggyback" statute.
- B) To set a date of public hearing for September 21, 2010, to receive citizens' comments on the Consolidated Annual Performance and Evaluation Report (CAPER) for 2009-10.
- C) To authorize investment accounts at BB&T and to authorize the City Clerk to attest the resolutions.
- D) To award the bid for lease/purchase funding agreement to Wells-Fargo Bank, NA, for FY2010-11 at the interest rate amount of 1.55% conditional on all financing documents proposed by Wells-Fargo Bank, NA, and meeting the approval of the City Attorney.
- E) To approve a final plat of Burlington Commerce, LLC, Lot 4. The property is located on the south side of Hanford Road approximately 450 feet west of East Maple Avenue as shown on plans by Fleming Engineering, Inc., dated August 6, 2010, and containing one lot.
- F) Budget Amendment 2011-06 - Recreation - BCBS of NC - Fitness Equipment Grant

BA2011-06

Increase Revenues:

010-33409-6210 Misc Recreation Grant \$5,000

Increase Expenditures:

010-62626-7400 Equipment \$5,000

G) Budget Amendment 2011-07 - 2009-2010 Projects Carried Forward

BA2011-07

GENERAL FUND

Increase Revenues:

010-39398-0001 Approp. Restr. Fund Balance \$1,052,801

Increase Expenditures:

Police

010-51511-7400 Equipment \$ 181,145

Fire

010-53537-7200 Buildings 4,471

010-53538-7400 Equipment 736,612

010-53538-3300 Departmental Supplies 55,024

Public Works

010-54542-4500 Contracted Services 19,399

010-56562-7400 Equipment 39,868

Recreation

010-62626-7200 Buildings 16,282

WATER & SEWER FUND

Increase Revenues:

030-39398-0002 Approp. Restr. Fund Balance \$ 137,097

Increase Expenditures:

Sewer Line Svc & Const

030-75705-1911 Professional Serv - Stimulus \$ 13,401

030-75705-7300 Capital - Other Improvements 45,800

Water Sources Protection

030-82802-1900 Professional Services 13,832

030-82802-7300 Capital - Other Improvements 21,818

Ed Thomas Water Plant

030-83803-1900 Professional Services 12,890

Mackintosh Water Plant

030-84804-1900 Professional Services 10,000

030-84804-7200 Building 15,835

East Burlington Waste Treatment Plant

030-86806-1900 Professional Services 3,521

H) Budget Amendment 2011-08 - Police - Amend Edward Byrne Justice Assistance Grant Project Ordinance

BA2011-08

Increase Expenditures:

526-50002-3390	Equipment Not Capitalized	\$	789
----------------	---------------------------	----	-----

Decrease Expenditures:

526-60002-1600	Maint/Repair Equipment	\$	789
----------------	------------------------	----	-----

EDWARD BYRNE JUSTICE ASSISTANCE GRANTS

#1 & #2 & #3 & #4 & #5 & #6 & #7

GRANT PROJECT ORDINANCE

BA2011-08

(Originally established with BA2007-07, amended with BA2008-27, BA2009-11, BA2010-02, BA2010-18, BA2010-33 & BA2011-04)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

Sec. 1. The project authorized is the Edward Byrne Justice Assistance Grant Project Ordinance. Grant #1 is used to assist in the purchase of covert camera systems for County Sheriff and Police Departments and SRT Tactical Vest and communication equipment for Police Department. Grant #2 is used to assist in the purchase of in-car video equipment for the County Sheriff's Department and for Spanish language training for the Police Department. Grant #3 is used to enhance 40 of the 800 MHz radios within the department. Grant #4 will be used to purchase three sets of stainless steel furniture (tables and benches) to replace aging furniture that has been in use in the Burlington Police Department prisoner processing area since 1986. Grant #5 will be used to purchase six police cruisers, six sets of light bars, five portable 800 MHz radios, one surveillance alarm, ten digital recorders and DVR software updates for an audio-visual system. This grant will also fund the Junior Police Academy program scheduled for July 2009. Grant #6 will be used to purchase two new vehicles to replace two aging marked police cruisers. The City is required to act as fiscal agent for Alamance County, City of Graham, and City of Mebane for the receipt of grant funds and disbursement for their share(s) of the total grant. Grant #7 will be used to purchase two portable radios and a video recorder for the headquarters interview room. The grant will also be used for VIPER software upgrades to existing portable radios.

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the terms stated in the grant contract.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

526-33100-0000	State Grant #1-Reimbursement	\$	37,717
526-33100-0001	State Grant #2-Reimbursement		22,708

526-38390-0000	Transfers from Other Funds	42,957
526-33100-0002	State Grant #3-Reimbursement	56,695
526-33100-0003	State Grant #4-Reimbursement	16,015
526-33100-0004	State Grant #5-Reimbursement	385,791
526-33100-0005	State Grant #6-Reimbursement	87,224
526-33100-0006	State Grant #7-Reimbursement	68,092

Sec. 4. The following amounts are appropriated for the project:

Grant #1:

526-60000-7400	Equipment	\$ 51,393
526-60000-6999	Misc.-County Share of Grant	18,859

Grant #2:

526-50001-1900	Professional Services	21,776
526-60001-6999	Misc.-County Share of Grant	11,354

Grant #3:

526-60002-1400	Travel	954
526-50002-3390	Equipment Not Capitalized	5,711
526-60002-1600	Maint/Repair Equipment	35,289
526-60002-6999	Misc.-County Share of Grant	14,741

Grant #4:

526-50003-3390	Equipment Not Capitalized	8,107
526-60003-6999	Misc.-County Share of Grant	7,908

Grant #5:

526-50004-3300	Departmental Supplies	2,000
526-50004-6003	Jr. Police Academy Prog	17,796
526-50004-3390	Equipment Not Capitalized	36,085
526-60004-7400	Equipment	182,700
526-60004-6997	Misc.-Mebane Share of Grant	26,885
526-60004-6998	Misc.-Graham Share of Grant	53,018
526-60004-6999	Misc.-County Share of Grant	67,307

Grant #6:

526-60005-6997	Misc.-Graham Share of Grant	12,885
526-60005-6999	Misc.-County Share of Grant	16,357
526-60005-7400	Equipment	57,982

Grant#7:

526-60006-6999	Misc. -County Share of Grant	15,874
526-50006-3390	Equipment Not Capitalized	16,218
526-50006-4500	Contracted Services	36,000

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this project ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

I) Budget Amendment 2011-09 - Police Needs - Funded by RICO

BA2011-09

Increase Revenues:

013-39398-0000	Appropriated Fund Balance	\$83,345
----------------	---------------------------	----------

Increase Expenditures:

013-52520-3300	Departmental Supplies	\$ 185
013-52520-4500	Contracted Services	350
013-52520-3100	Vehicles	3,600
013-52520-3306	K-9 Care	7,625
013-52520-1401	Training	10,410
013-52520-3390	Equipment Not Capitalized	12,675
013-52520-7400	Equipment	48,500

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Ross, it was resolved unanimously to approve the foregoing Consent Agenda with the exception of Item D.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Faucette, it was resolved unanimously to approve Consent Agenda Item D. Councilmember Ross abstained.

NEW BUSINESS:

2) DOWNTOWN STREETSCAPE PLAN

Mayor Wall announced that Council would consider approval of the Downtown Streetscape Plan.

Public Works Director Nolan Kirkman stated that the Burlington Downtown Corporation Executive Director Anne Morris and City staff had been working with Karen Westin-Chien, Haden Stanziale, on the downtown streetscape plan which identified the work to be done as part of the streetscape allocation in the resurfacing contract. He explained that funds from the resurfacing contract were used since the bids for resurfacing came in less than expected. Mr. Kirkman said that he anticipated a contract extension from October 1, 2010, to mid-November 2010.

Ms. Westin-Chien reviewed the downtown site furnishings plan which included tree planters, flower planters, trash receptacles, recycle trash receptacles, bike racks and ash urns. She described

the gathering spaces which would be located at the Historic Depot, Paramount Theater and at the Company Shops Market. She said there would be improved planting areas at the intersection of Front and Spring Streets and behind the library on Front Street. She said there would be new banners and banner arms. Ms. Westin-Chien reported that the total cost of the project was approximately \$293,387.

Councilmember Faucette stated it would be beneficial to make improvements along Church Street to provide more uniformity for the entrance into the City. He also requested upgrades at the intersections of Maple Avenue and Spring Street and Worth and Davis Streets.

Mayor Wall asked if the City had received permission from the North Carolina Department of Transportation (NCDOT) to make improvements on the state-maintained streets, and Mr. Kirkman said he had not gotten approval yet but expected to have a positive reply soon.

Mayor Wall inquired about the New Leaf Society's involvement, and Ms. Westin-Chien replied that New Leaf was assisting in purchasing the trees and that it was contributing \$50,000.

Councilmember Ross asked if there were any utility issues that caused concerns, and Mr. Kirkman said a complete survey had been done. He said he hoped there would be no issues.

Upon motion by Councilmember Ross, seconded by Councilmember Butler, it was resolved unanimously to approve the downtown streetscape plan with the above-mentioned changes.

Council was in agreement that this project would not be possible if it were not for Recovery Zone funds. Staff was asked to report to Council with a final report and to stay engaged during the project.

3) RECYCLING CONTRACT EXTENSION - TIDEWATER FIBRE CORPORATION (TFC)

Mayor Wall announced that Council would consider approval of an addendum for an extension to the original recycling contract with Tidewater Fibre Corporation (TFC) from June 1, 2011, to June 30, 2012.

Public Works Director Kirkman stated that the current contract for recycling with Tidewater Corporation ends June 1, 2011. He said the service had been good, there had been minimal complaints and the company had been good with which to work. He stated he had checked and that the City of Burlington had a good rate. He requested to approve an addendum to extend the contract to July 1, 2012.

Upon motion by Councilmember Butler, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to approve the addendum to the TFC contract.

PUBLIC COMMENT PERIOD

There was no public comment.

CITY COUNCIL COMMENTS

Mayor Wall:

- 1) Next neighborhood meeting will take place on Thursday, September 9, 2010, at St. Matthews AME Church at 7:00 p.m. The last neighborhood meeting is scheduled for Thursday, September 16, 2010, at the Kernodle Senior Center.
- 2) Carousel Festival - September 18-19, 2010, at City Park.
- 3) Celebrate the Carousel's Past & Present in honor of the 100th Anniversary of the Historic Dentzel Carousel - 5:30 p.m. Friday, September 17, 2010, at City Park - Softball Field #1.
- 4) United Way Fund Raiser - Friday, September 17, 2010, at the Jimmy Combs Memorial Pavilion at City Park, 7:30 p.m. featuring the Fabulous Lumpsters.
- 5) Jimmy Combs Memorial Dedication - City Park Main Stage at 3:45 p.m. on Sunday, September 19, 2010.

ADJOURN:

Upon motion by Councilmember Faucette, seconded by Councilmember Ross, it was resolved unanimously to adjourn.

Jondeen D. Terry
City Clerk